उपसभापति : मैंने नहीं दी थी, हाउस ने दी थी।

श्री बालकवि बैरागी : हम तो उन्हें बद-दुआ नहीं दे रहे हैं। सिन्हा साहब को आपने काम्पलीमेंट दी है, प्रमोद भाई को दी है और हमारे अटल जी को भी आपने काम्पलीमेंट दे दिया है। सारा मामला आपने ठीक कर दिया।...

उपसभापति : नहीं, I want to put the record straight. Please do not twist the things. I never gave any compliment to anybody for anything. It was the Members of Parliament ...*(Interruptions)*... Why do you have to attribute good things always to me?

श्री बालकवि बैरागी : मुझे तो केवल एक कप्लेंट कहनी है।

श्री प्रमोद महाजन : मैडम, सब लोग इनसे काम्पलीमेंट्स चाहते हैं, लेकिन इनके क्वेश्चन पूछने से सारी गड़बड़ होती है।

श्री बालकवि बैरागी : मुझे केवल एक कप्लेंट कहनी है। फिर बाद में बिजनिस ले लीजिए।

"कोई किस तरह से उनके सिर का अब सौदा करे,

जब आपने अपना ही आंचल उनके सिर पर रख दिया।"

उपसभापति : मेरा आंचल तो एक्चुअली आपकी तरफ है। उनकी तरफ तो पल्लू भी नहीं है। Let us now go ahead. Mr. Jethmalani.

THE INDIAN MAJORITY (AMENDMENT) BILL,1999

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): Madam Deputy Chairman, I beg to move:

> "That the Bill furthur to amend the Indian Majority Act. 1875, be taken into consider action."

while I move the Indian Majority (Amendment) Bill, 1999 for consideration, may I say that, one after the other, I have three Bills to move? I think this House has the opportunity of getting into the Guiness Book of Records by passing all these three Bills within three minutes. These are very innocuous Bills. One is the Indian Majority (Amendment) Bill, 1999.

There is a provision in the Act of 1875 that some classes of minors continue to be minors until the age of 21; while the majority continued to have acquired majority at the age of 18. Now that we have conferred voting right on everybody of the age of 18, it is ridiculous that some people still continue to be minors in the eye of law. So, we are removing this anomaly. Everybody, on completion of 18 years of age, now acquires majority. The old 1875 distinction is sought to be obliterated. Children have become so good that, sometimes, even grandfathers learn from their grandchildren, who are of the age of 12, 13 or 14. So, I commend, Madam, that this Bill be passed without any further consideration, and passed within a minute.

THE DEPUTY CHAIRMAN: Mr. Minister, age is no certification of majority, or, the thinking of a person. Age is the quality of mind. Some people grow old, but even then they think like minors, and some minors think more than....*(Interruptions)*....

SHRI RAM JETHMALANI: Madam, those distinctions will always remain there ...*(Interruptions)*....

THE DEPUTY CHAIRMAN: So, we can pass it without distinction ...*(Interruptions)*.... बालकवि बैरागी जी आपको एक शेर सुनाना चाहते हैं।

श्री बालकवि बैरागी (मध्य प्रदेश) : मैडम, शेर नहीं सुना रहा हूं। मैं सिर्फ इतना आपसे निवेदन करना चाहता हूं कि इसमें किसी का विरोध करने का प्रश्न नहीं है और सभी वयस्क हो गए हैं। बालिग मताधिकार तक, 18 वर्ष की आयु तक हम लोग आ गए हैं। आपने जैसा फरमाया बिल्कुल ठीक है। लेकिन हमारे यहां 4-5 शक-संवत चलते रहते हैं। विक्रम संवत भी चलता है, ईसवी भी चलता है, हिजरी भी चलता है, शक भी चलता है। जैसा अभी बिहार में एक प्रकरण हुआ, मैं नाम नहीं लेना चाहता हूं एक मंत्री महोदय को ही नाबालिग मानकर बर्खास्त कर दिया गया, तो आखिर उनको ही माइनर बना दिया है। उनका यह कहना है कि ईश्वर भी मुझे माइनर सिद्ध नहीं कर सकता। उन्होंने आज यह चैलेंज किया है तो आखिर हम इस कानून में जो अमेंडमेंट ला रहे हैं, तो इसमें हम कौन-से सन्, कौन-से संवत को प्रमाणिक मानेंगे। इसका अगर खुलासा हो जाता तो ठीक रहता, ताकि गिनती में हमें कोई तकलीफ नहीं होती। यही मैं आपसे निवेदन करना चाहता हूं।

SHRI RAM JETHMALANI: This is according to the Gregarian calendar. But every Member is entitled to use his own calendar. The result will be the same. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN : The calendar by which we are going to enter into the new millennium. So, now nobody is speaking, everybody is withdrawing.

SHRI R. MARGABANDU(Tamil Nadu) : Madam, I just want to seek one clarification. In the case of a minor, filing a suit and challenging the transaction either within 12 years from the date of the transaction, or, within 3 years from the date of attaining majority, is the limitation. A minor, for whom a guardian has not been appointed by the court, can file a suit within 21 years; and in the case of a minor, for whom a guardian has been appointed, the age is 21 years; he will be having another 3 years. So, by 24 years, he can file a suit. It is a welcome legislation. By reducing the limit from 21 years to 18 years, if a suit has been filed beyond 21 years, what will happen to that position? That position has to be taken care of. This is the only thing that I want to bring to the notice of the Minister.

SHRI RAM JETHMALANI : Madam, this position has been taken care of. No vested rights are ever taken away. This is always a prospective legislation. This is not procedural. Therefore, being substantive, it will operate only prospectively.

SHRI R. MARGABANDU : Now, what about the cases which are pending in the courts?

SHRI RAM JETHMALANI : Pending cases will continue to be disposed of, according to the law which prevailed at the date of institution of the proceeding. That again is a settle law.

THE DEPUTY CHAIRMAN : Now, a minor among the Members of this House is going to ask a question.

SHRI BRATIN SENGUPTA(West Bengal) : Madam, I would like to know why should it still be named as "Indian Majority Act", not as simply "Majority Act". This is the colonial legacy. Why the "Indian" part of it should not be deleted.

SHRI RAM JETHMALANI : There is an amendment in this very Bill by which the word "Indian" is being dropped. So, it has been taken care of; thank you for reminding us.

श्री बालकवि बैरागी : उपसभापति जी, यह देश का ऐसा कानून होगा जिसमें "भारतीय" को निकाला जा रहा है।

SHRI RAM JETHMALANI : Because, now, everything is Indian.

THE DEPUTY CHAIRMAN : Now one thing that I want to mention before putting the motion to vote is that the Members have made very valuable contribution to these Bills. The question is :

"That the Bill further to amend the Indian Majority Act, 1875, be taken into consideration."

The motion was adopted.

THE DEPUTY CHAIRMAN : We shall now take up clause by clause consideration of the Bill.

Clauses 2 to 4 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI RAM JETHMALANI : Madam, I move :

"That the Bill be passed."

The question was put and the motion was adopted.

SHRI ADHIK SHIRODKAR(Maharashtra) : Madam, does it mean that the Elders have made the "minors" "majors"?

THE MARRIAGE LAWS (AMENDMENT) BILL, 1999

THE DEPUTY CHAIRMAN: Now from minority to marriage.

श्री मोहम्मद सलीम (पश्चिम बंगाल) : यह काम बाद में होने की वजह से मेजोरिटी के तीन साल लोस कर गए, वह कैसे कम्पेनसेट होगा ।

श्री एच.हनुमनतप्पा (कर्नाटक) : महोदया, अभी-अभी मेजर बने और शादी कर ली ।

THE DEPUTY CHAIRMAN: That is it. You cannot get married without becoming a major. So, I have to get them married now.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): Madam, I move:

"That the Bill further to amend the Hindu Marriage Act, 1955 and the Special Marriage Act, 1954, be taken into consideration."